

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 484 – SB 1316

February 13, 2023

SUMMARY OF BILL: Increases, from a Class A misdemeanor punishable by fine only to a Class E felony, the penalty for the offense of possession of a used, detached catalytic converter by an unauthorized person.

FISCAL IMPACT:

Increase State Expenditures – \$1,678,600 Incarceration

Assumptions:

- Public Chapter 213 of 2021 created the Class A misdemeanor offense of possession of a used, detached catalytic converter by an unauthorized person.
- Based on information provided by the Administrative Office of the Courts, it is assumed there are an average of 15 Class A misdemeanor convictions each year for possession of a used, detached catalytic converter by an unauthorized person.
- This analysis assumes that only 10 percent of misdemeanor convictions are at the state court level. As a result, it is estimated that there are 150 convictions (15 / 10%) per year for Class A misdemeanor unauthorized possession of a used, detached catalytic converter.
- It can be reasonably assumed that 150 convictions will be classified as a Class E felony under this legislation.
- The average time served for a Class E felony is 0.59 years.
- Based on population data from the U.S. Census Bureau, population growth in Tennessee averaged 0.96 percent per year (from 2018 to 2021).
- The weighted average operational costs per inmate per day are estimated to be \$50.63 for inmates housed at state facilities and \$52.11 for inmates housed at local facilities.
- The estimated increase in incarceration costs is estimated to be the following over the next three-year period:

Increase in State Expenditures	
Amount	Fiscal Year
\$ 1,646,900	FY23-24
\$ 1,662,700	FY24-25
\$ 1,678,600	FY25-26

- Pursuant to Public Chapter 1007 of 2022, recurring cost increases are to be estimated on the highest of the next three fiscal years; therefore, the recurring increase in incarceration costs will be \$1,678,600.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. The proposed legislation will not significantly change state or local revenue.
- The estimated fiscal impact of the proposed legislation does not consider the availability of beds in state and local facilities, but is based solely on the current operating costs of state facilities and the reimbursement rates for local facilities as is required by Tenn. Code Ann. § 9-4-210.
- All calculations used in completion of this fiscal note are available upon request.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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